

UNITED STATES DISTRICT COURT

DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
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BALTIMORE, MARYLAND 21201
2003 JAN 16 PM 11:23
111-1962-0782
FAX (410) 962-2698

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January 14, 2003

Memo To Counsel Re: Protection One Alarm Monitoring, Inc. v. Glessner Protective Services, Inc.
Civil No. JFM-02-3653

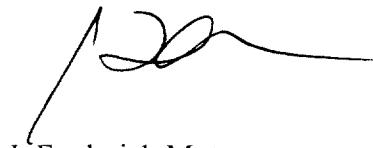
Dear Counsel:

I have reviewed the memoranda submitted in connection with defendants' motion to dismiss Count IV of the complaint.

The motion is granted. I believe that Judge Blake's opinion in *Penn-Plax, Inc. v. L. Schultz, Inc.* 988 F. Supp. 906 (1997) is correct, and I follow it in finding that a competitor, such as Protection One, has no standing to bring an action under the Maryland Consumer Protection Act.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,


J. Frederick Motz
United States District Judge

cc: Court File

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JFM